

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

BEN E. KEITH COMPANY,

Plaintiff,

v.

BOSTON MARKET CORPORATION,

et al.,

Defendants.

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Civil Action No. 4:22-cv-00868-O

FINAL JUDGMENT

This Judgment is issued pursuant to Fed. R. Civ. P. 58(a).

This action came on for consideration by the Court, and the issues having been duly considered and a decision duly rendered,

It is **ORDERED, ADJUDGED, and DECREED** that:

1. Plaintiff's Motion for Partial Summary Judgment on PACA Trust Claims and for Order Directing the Release of PACA Funds in the Registry of the Court (ECF No. 35) is **GRANTED in PART and DENIED in PART**, and Plaintiff's Motion for Summary Judgment on Non-PACA Related Claims (ECF No. 47) is **GRANTED**.
2. Plaintiff **SHALL HAVE** judgment against Defendant Boston Market Corporation in the amount of \$72,814.07. The clerk **SHALL RELEASE** to the order of Plaintiff that sum on deposit in the registry of the Court (*see* ECF No. 26), together with all interest accrued on that amount.
3. Plaintiff **SHALL HAVE** judgment against Defendant Boston Market Corporation in the additional amount of \$377,839.28.
4. The clerk **SHALL RELEASE** to the order of Plaintiff the sum of \$500.00 deposited by Plaintiff in the registry of the Court in lieu of a bond (*see* ECF No. 20).

5. Plaintiff **SHALL HAVE** prejudgment interest in the amount of \$31,187.68 through the date of this Judgment.
6. Plaintiff **SHALL HAVE** post-judgment interest on the amount of the Judgment at the rate of 5.42% per annum from the date judgment is entered and compounded annually.
7. Plaintiff **SHALL RECOVER** its reasonable attorney's fees from Defendant Boston Market Corporation.
8. Plaintiff **SHALL TAKE NOTHING** from Defendant Jignesh Jay Pandya.
9. The taxable costs of court, as calculated by the clerk of court, shall be borne by the Defendant Boston Market Corporation.
10. The clerk shall transmit a true copy of this Judgment, together with a true copy of the Order accepting the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, to the parties.

SO ORDERED on this 26th day of September, 2023.


Reed O'Connor
UNITED STATES DISTRICT JUDGE